



2152 #2  
11-29-02

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )

Paul E. Bender. )

Serial No.: 09/804,655 )

Filed: 03/12/2001 )

) For: **METHOD AND APPARATUS**  
) **FOR DATA RATE CONTROL IN A**  
) **COMMUNICATION SYSTEM** **RECEIVED**

) **Group Art Unit: 2152**

**NOV 19 2002**

**Technology Center 2600**

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.97(c)**

**RECEIVED**

Asst. Commissioner for Patents  
Washington, D.C. 20231

**NOV 13 2002**

**Technology Center 2100**

Dear Sir:

Applicants submit the enclosed information in accordance with a duty to disclose information under 37 CFR § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

October 30, 2002

(Date of Deposit)

Caprice P. Hall

(Name of the Person Making Deposit)

*Caprice P. Hall*  
(Signature)

October 30, 2002

(Date of Signature)

In accordance with 37 CFR § 1.98 submitted herewith for consideration by the Examiner are the patents, publications and other information shown on the attached PTO-1449.

The citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application unless specifically designated as such.

The filing of this document shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references cited herein is set forth on Form PTO-1449 which is enclosed herewith in duplicate along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants the enclosed copy of the Form PTO-1449 indicating consideration of the references.

☒ The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: October 30, 2002

By: Sandra L. Godsey  
Sandra L. Godsey  
Attorney for Applicant  
Registration No. 42,589

QUALCOMM Incorporated  
5775 Morehouse Drive  
Attn: Patent Department  
San Diego, California 92121-1714  
Telephone: (858) 651-4517  
Facsimile: (858) 658-2502